

IN RE: PETITIONS FOR SPECIAL EXCEPTION • BEFORE THE
AND VARIANCE - E/S Balto. Beltway • DEPUTY ZONING COMMISSIONER
(1-695) at 5/8 Old Court Road •
(4445 Old Court Road) • OF BALTIMORE COUNTY
2nd Election District •
2nd Councilmanic District • Case No. 94-253-XA
The Talmudical Academy of
Baltimore, Inc. - Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Exception and Variance for the subject property known as 4445 Old Court Road, located in the Pikesville area of northwestern Baltimore County. The Petitions were filed by the owners of the property, The Talmudical Academy of Baltimore, Inc., by Aryeh Guttenberg, Vice President, and the Contract Lessee, Bell Atlantic Mobile Systems, Inc., by Richard Goodman, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek a special exception to permit the installation of nine (9) wireless transmitting and receiving structures on the roof of the existing building on the subject property, pursuant to Section 1801.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioners seek variance relief from the B.C.Z.R. as follows: From Section 502.7.C.2 to permit a setback from the nearest property line of as close as 80 feet in lieu of that required; from Sections 502.7.C.4 and 502.7.C.5 to permit a setback from the fencing and landscaping requirements thereof; and from Section 1801.1.B.e to permit a variance from RTA buffer requirements. The subject property and the relief sought are more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitions were Ed Marquez, Bobby McAvoy and Rich Dolson for Bell Atlantic Mobile Systems, Inc., Chuck Phillips and

Irvin A. Fischer. The Petitioners were represented by Robert A. Hoffman, Esquire. Appearing as Protestants were Caren Cutler, Rona Levin and Anna Stalman, parents of children who attend the private school on the site.

Testimony and evidence presented established that the subject property is located at the intersection of Old Court Road and the Baltimore Beltway (I-695) and is the site of a private school known as the Talmudical Academy of Baltimore, Inc. Said property consists of 9.3746 acres, more or less, zoned D.R. 5.5 and is improved with a two-story brick building and accessory parking area. The Petitioners have entered into a contract to permit Bell Atlantic Mobile Systems, Inc. to install nine (9) wireless transmitting and receiving antennae on the roof of the existing building in accordance with Petitioner's Exhibit 1. The antennae are 1 foot in width, 1 foot in depth and 4 feet in height.

Mr. Irvin Fischer appeared and testified on behalf of the Petitioner. Mr. Fisher stated that he was appointed by the Talmudical Academy Board of Trustees to investigate any adverse health consequences which may result from the installation of the antennae on the school building. He testified that he has knowledge, training and expertise in this area and willingly took on the task of studying whether the students at the Academy would be affected by the installation of these antennae. After a thorough investigation, Mr. Fischer determined that these antennae would pose no adverse health consequences to the children and therefore, recommended that the Academy proceed with the special exception and variance relief sought in this matter.

Mr. Fischer further testified that the Academy has been experiencing financial difficulties and that the income derived from the lease agreement with Bell Atlantic Mobile Systems, Inc. will help them meet

their budgetary demands. Mr. Fischer stated that the financial benefits derived from this agreement will far outweigh any potential hazard the installation of the proposed antennae might create. Mr. Fischer further stated that the maximum exposure level created by these antennae will be 20 times below the applicable ANSI standard set for safe levels of exposure. He therefore concluded that the proposed antennae will pose no health hazard and will be a financial benefit to the Academy.

In further testimony, Mr. Fischer revealed that an Environmental Impact Statement was prepared for this site, pursuant to Section 502.7.C.10 of the B.C.Z.R., and submitted a copy of same into evidence as Petitioner's Exhibit 9. This study concluded that the installation of these antennae on the subject building will have no substantial adverse impact upon the environment.

Mr. Ed Marquez appeared and testified on behalf of the Petitioner. Mr. Marquez is in charge of real estate acquisition for Bell Atlantic. He testified that Bell Atlantic had made a diligent search for alternate locations within this area and that the building on the subject property is the most appropriate location for these wireless transmitting and receiving devices. His testimony indicated that the relief requested satisfies the requirements of Section 502.7.C.1 of the B.C.Z.R. The Petitioners also requested variances from Section 502.7.C.4 and 5 which are more appropriately applied to the installation of antennae on communication towers. Inasmuch as the wireless transmitting and receiving devices are to be roof-mounted on top of the existing building, the variances requested from those particular subsections shall be granted.

Appearing and testifying in opposition to the Petitioner's request were several parents of children who attend the Talmudical Academy. The

cumulative testimony indicated that these parents are upset and dissatisfied with the decision by the Board of Trustees for the Talmudical Academy to enter into this contract with Bell Atlantic. They believe that the installation of these wireless transmitting and receiving structures will jeopardize the health and welfare of their children. They testified not only on behalf of their children but for those children who will be attending the Academy in the future. The parents testified that the children attend school for many hours of the day, six (6) days a week, and usually attend the school from Grades K through 12. They feel that by virtue of the extended period of time the children are in school, the exposure levels of these transmitting and receiving structures will cause serious health consequences to the children. In their opinion, such risk cannot justify the amount of income the Academy may derive by virtue of their contract with Bell Atlantic.

The parents further requested that I withhold issuing my decision until such time as they could submit literature concerning the issue of wireless transmitting and receiving structures. By correspondence dated February 3, 1994, Mrs. Caren Cutler submitted two letters from Raymond R. Noutra, M.D., Dr.P.H., as well as articles dealing with the issue of wireless transmitting and receiving devices. I read and reviewed the literature submitted by Mrs. Cutler and forwarded same to Mr. Stephan A. Reekie, who is employed with Baltimore County's Bureau of Air Quality and Waste Management in the Department of Environmental Protection and Resource Management (DEPRM). Mr. Reekie is the County's expert who evaluates and makes recommendations to this Deputy Zoning Commissioner concerning the installation of these types of transmitting and receiving devices. Mr. Reekie also read and reviewed the literature submitted by Mrs. Cutler and

submitted comments by letter dated February 15, 1994 in which he states the position of his office. Mr. Reekie is not opposed to the installation of the antennae on the roof of the Talmudical Academy building, so long as the roof is secure and that no students will have access to same. Testimony demonstrated that access to the roof is by a vertical ladder which is secured at the top by a locked roof hatch to which only authorized personnel have a key. Given this testimony, the likelihood that a child would access the roof of the Academy is virtually non-existent.

Furthermore, Mr. Reekie states in reviewing the literature sent to him that the decision by the School Board of San Francisco to not install transmitting and receiving devices on their school buildings was more of a political decision than one made out of concern for safety. The difference between the schools in San Francisco and the case before me is that the Talmudical Academy is a private school. The parents who choose to send their children to the Academy do so voluntarily. In fact, they pay a considerable tuition in order to have their children educated at the Academy. This is not a case where there transmitting and receiving devices are being placed on public schools throughout Baltimore County. If a particular parent does not agree with the decision of the Talmudical Academy Board to place these antennae on the roof of their building, they have the option to withdraw their child from that school.

The testimony offered by Mr. Fischer on behalf of the Talmudical Academy Board was that the decision was merely a financial one whereby extra income could be generated as a result of the contract with Bell Atlantic. However, this economic windfall could be offset drastically should several parents of children attending the Academy decide to withdraw their children from the school as a result of this issue. Therefore,

I believe the ultimate decision concerning the installation of these antennae is between the parents of students attending the Academy and the Board of Trustees for the Talmudical Academy. However, I have been asked by the Petitioners to review the testimony and evidence presented herein to determine whether the Petitioners have met their burden of proof that the special exception and variances requested should be granted.

It is clear that the B.C.Z.R. permits the use proposed in a D.R. 5.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys thereina, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, and particularly the favorable results of the environmental impact statement, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances, as modified, are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare. Further, the granting of

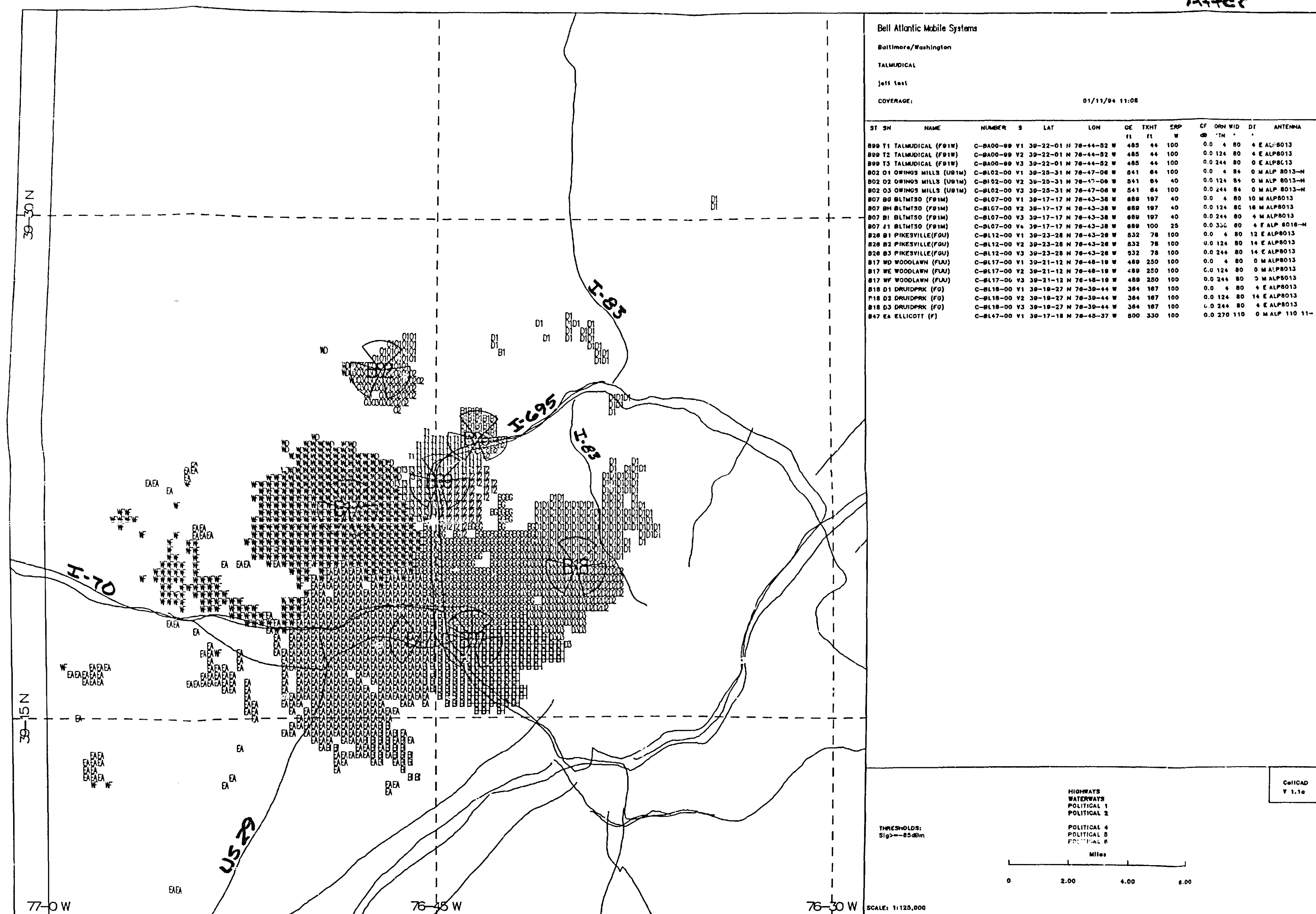
the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

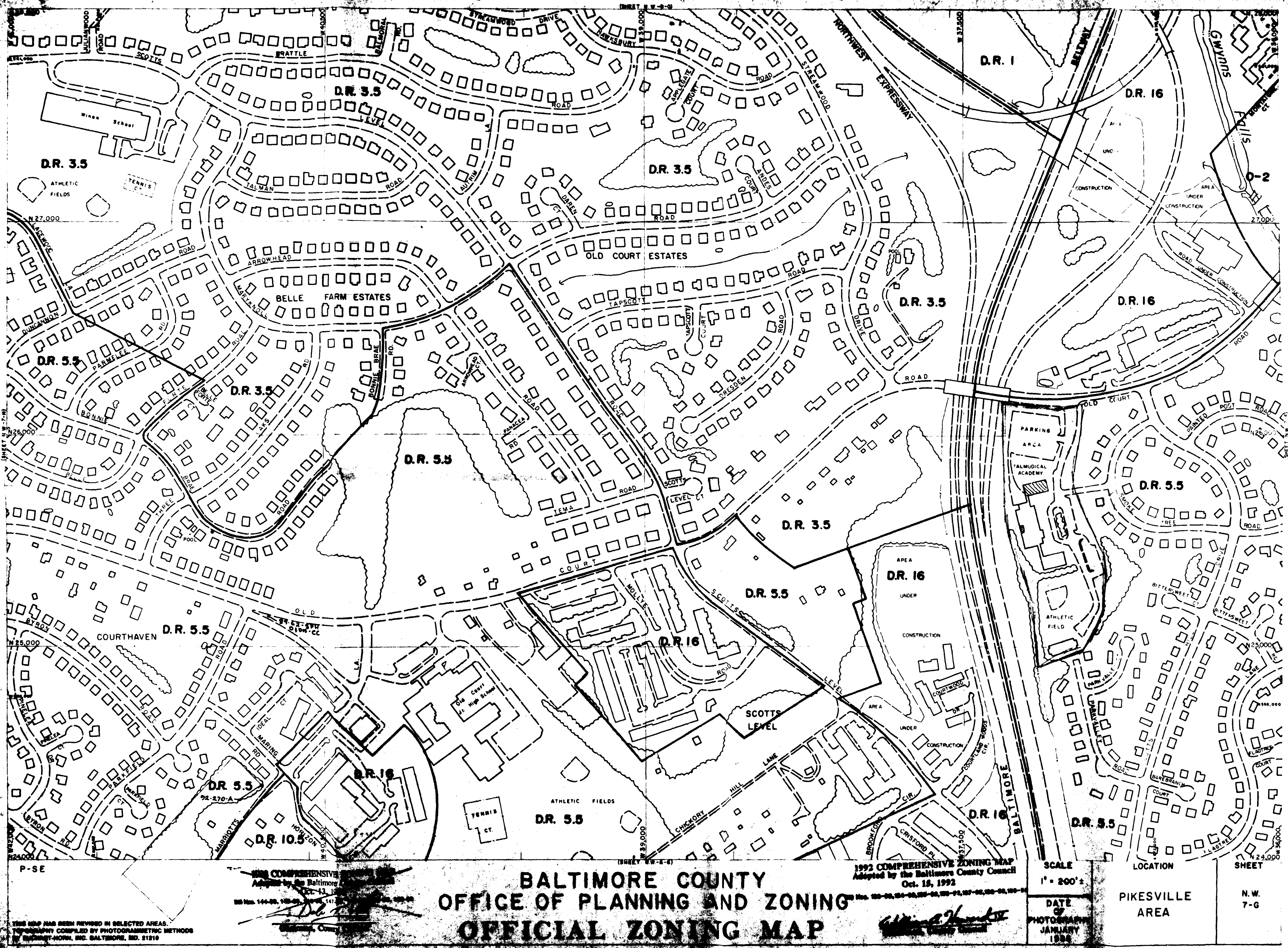
Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special exception and variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 31st day of March, 1994 that the Petition for Special Exception to permit the installation of nine (9) wireless transmitting and receiving structures on the roof of the existing building on the subject property, pursuant to Section 1801.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; AND,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 502.7.C.2 to permit a setback from the nearest property line of as close as 80 feet in lieu of that required, from Sections 502.7.C.4 and 502.7.C.5 to permit a setback from the fencing and landscaping requirements thereof, and from Section 1801.1.B.e to permit a variance from RTA buffer requirements, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Talmudical Academy shall take steps to insure that access to the roof of the existing building shall be secured at all times so that no children will have access to the roof of the school.





94-252-XA

- 3) The Petitioner shall install R.F. shielding materials under the mounting of each antennae. The shielding material shall be maintained by Bell Atlantic in perpetuity, or for as long as the antennae remain on the roof of the Academy.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

March 31, 1994

(410) 887-4386

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
E/S Balto. Beltway (I-695) at S/S Old Court Road
(4445 Old Court Road)
2nd Election District - 2nd Councilmanic District
The Talmudical Academy of Baltimore, Inc. - Petitioner
Case No. 94-252-XA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Aryeh Guttenberg, Vice President, The Talmudical Academy,
1777 Reisterstown Road Commerce East, Suite 285, Baltimore, Md. 21208

Mr. Richard Goodman, c/o Bell Atlantic Mobile Systems, Inc.
5631 Baltimore National Pike, Catonsville, Md. 21228

Ms. Caren Cutler, 3415 Clarks Lane, Apt. E-01, Baltimore, Md. 21215

Ms. Anne Stalman, 3217 Northbrook Road, Baltimore, Md. 21208

Ms. Rena Levin, 7117 Boxford Road, Baltimore, Md. 21215

People's Counsel; File



Petition for Special Exception to the Zoning Commissioner of Baltimore County for the property located at 4445 Old Court Road Baltimore, Maryland 21208

which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the Nine wireless transmitting and receiving structures pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations. Said structures each to be roof-mounted and 1' (w) x 1' (d) x 4' (h) in dimension.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:

Bell Atlantic Mobile Systems, Inc.
(Type or Print Name)

By: *Richard Goodman*
Signature: Richard Goodman

5631 Baltimore National Pike
Address

Catonsville, Maryland 21228
City State Zipcode

Agency for Petitioner:

Robert A. Hoffman, Esquire
(Type or Print Name)

By: *Robert A. Hoffman, Esquire*
Signature: Venable, Baetjer & Howard

210 Allegheny Avenue
Address

Towson, Maryland 21204 494-6200
City State Zipcode Phone No.

OFFICE USE ONLY
Date

ESTIMATED LENGTH OF HEARING
The following date: _____ Next Two Months

ALL OTHER DATE

REVIEWED BY: _____ DATE

ORDER RECEIVED FOR FILING
Date
By



Petition for Variance to the Zoning Commissioner of Baltimore County for the property located at 4445 Old Court Road Baltimore, Maryland 21208

which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 502.7.C.2 to allow a setback from the nearest property line of as close as 80 feet and from the fencing and landscaping requirements under Sections 502.7.C.4 and 502.7.C.5; and a variance of the RTA buffer as required under Section 1B01.1.B.(e).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty)

To be determined at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:

Bell Atlantic Mobile Systems, Inc.
(Type or Print Name)

By: *Richard Goodman*
Signature: Richard Goodman

5631 Baltimore National Pike
Address

Catonsville, Maryland 21228
City State Zipcode

Agency for Petitioner:

Robert A. Hoffman, Esquire
(Type or Print Name)

By: *Robert A. Hoffman, Esquire*
Signature: Venable, Baetjer & Howard

210 Allegheny Avenue
Address

Towson, Maryland 21204 494-6200
City State Zipcode Phone No.

OFFICE USE ONLY
Date

ESTIMATED LENGTH OF HEARING
The following date: _____ Next Two Months

ALL OTHER DATE

REVIEWED BY: _____ DATE

ORDER RECEIVED FOR FILING
Date
By



ZONING DESCRIPTION FOR SPECIAL EXCEPTION OF THE 0.185 ACRE PARCEL AT THE TALMUDICAL ACADEMY 3RD ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

This description is for a Special Exception and Variances.

COMMENCING FOR THE SAME at the intersection of the easterly side of the Baltimore Beltway with the southerly side of Old Court Road, thence running on the easterly side of said Beltway, 3 courses

(1) South 13 degrees 12 minutes 41 seconds West 48.90 feet thence

(2) South 00 degrees 21 minutes 06 seconds East 47.26 feet thence

(3) South 02 degrees 59 minutes 04 seconds East 316 feet more or less thence leaving said Beltway

(4) North 76 degrees 00 minutes 58 seconds East 80 feet more or less, to the Point of Beginning, thence running parallel to and 5 feet from an existing building, 4 courses

(1) North 76 degrees 00 minutes 58 seconds East 122.00 feet thence

(2) South 13 degrees 59 minutes 02 seconds East 66.00 feet thence

(3) South 76 degrees 00 minutes 58 seconds West 122.00 feet thence



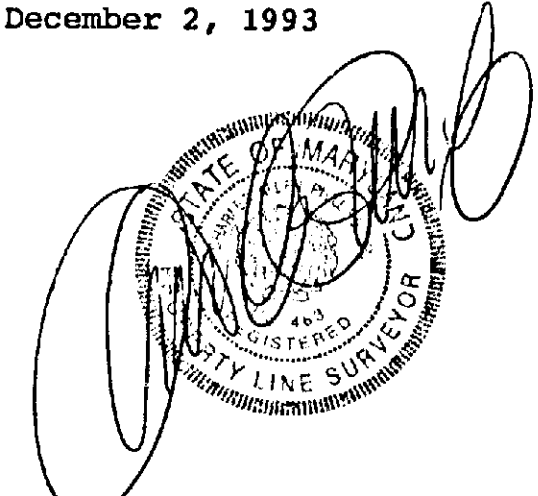
Zoning Description of The 0.185 Acre Parcel at The Talmudical Academy December 2, 1993 Page 2

(4) North 13 degrees 59 minutes 02 seconds West 66.00 feet to the Point of Beginning.

CONTAINING 0.185 acres of land more or less.

AP/dgj KCI Job No. 01-92170-07 December 2, 1993

Work Order No. 76422C



ZONING DESCRIPTION FOR SPECIAL EXCEPTION OF THE 0.017 ACRE PARCEL AT THE TALMUDICAL ACADEMY 3RD ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

This description is for a Special Exception and Variance.

COMMENCING FOR THE SAME at the intersection of the easterly side of the Baltimore Beltway with the southerly side of Old Court Road, thence running on the easterly side of said Beltway, 4 courses

(1) South 13 degrees 12 minutes 41 seconds West 48.90 feet thence

(2) South 00 degrees 21 minutes 06 seconds East 47.26 feet thence

(3) South 02 degrees 59 minutes 04 seconds East 467.13 feet thence

(4) South 17 degrees 51 minutes 10 seconds East 73 feet more or less, thence leaving said beltway

(5) North 76 degrees 00 minutes 58 seconds East 44.5 feet more or less to the Point of Beginning, thence running parallel to and 5 feet from an existing building

(1) North 13 degrees 59 minutes 02 seconds West 31.08 feet thence the following 3 courses

(2) North 76 degrees 00 minutes 58 seconds East 23.25 feet thence



Zoning Description of The 0.017 Acre Parcel at The Talmudical Academy December 2, 1993 Page 2

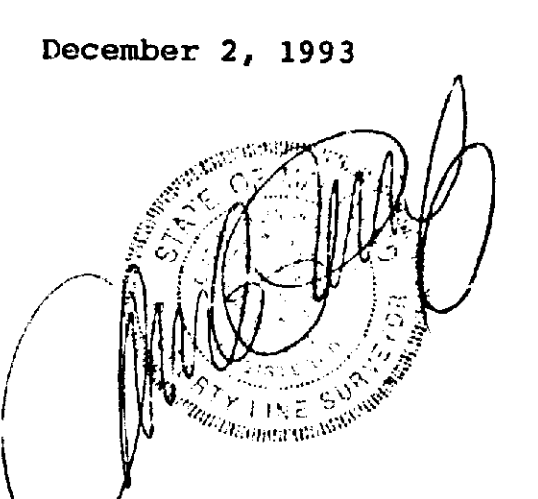
(3) South 13 degrees 59 minutes 02 seconds East 31.08 feet thence

(4) South 76 degrees 00 minutes 58 seconds West 23.25 feet to the Point of Beginning.

CONTAINING 0.017 acres of land more or less.

AP/dgj KCI Job No. 01-92170-07 December 2, 1993

Work Order No. 76422C



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 111 Date of Posting: 1/17/93
Posted for: Special Exception
Petitioner: Bell Atlantic Mobile Systems, Inc.
Location of property: 4445 Old Court Rd., Towson, Md. 21204
Location of Sign: Front of property, 4445 Old Court Rd.
Remarks: None
Posted by: Arnold Jablon Date of return: 1/17/93
Number of Signs: 2

CERTIFICATE OF PUBLICATION

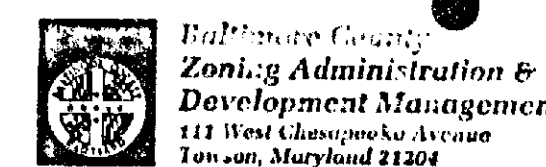
TOWSON, MD., Dec. 30, 1993
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec. 30, 1993.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD., TOWSON

Publisher



Date: 12/17/93

CODES
050 SPECIAL EXCEPTION FILING
020 VARIANCE FILING
080(2) SIGN POSTING

receipt
94-252-XA

Account: R001-6150
Number: 253
By: VLL

300.00
250.00
70.00

TOTAL \$ 620.00

OWNER: TALMUDICAL ACADEMY OF BALTIMORE, INC.
LOC 4445 OLD COURT RD.

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 253
Petitioner: Bell Atlantic Mobile Systems, Inc.
Location: 4445 Old Court Road
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Barbara White (Venable)
ADDRESS: 210 Allegheny Ave.
Towson, Md 21204
PHONE NUMBER: 410-494-6200

At: ggs

(Revised 01/09/93)

Item Number: 253
Planner: JLL
Date Filed: 12-17-93

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "Flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

- The following information is missing:
- ☐ Descriptions, including accurate beginning point
 - ☐ Actual address of property
 - ☐ Zoning
 - ☐ Acreage
 - ☐ Plats (need 12, only 1 submitted)
 - ☐ 200 scale zoning map with property outlined
 - ☐ Election district
 - ☐ Councilmanic district
 - ☐ EC2X section information and/or wording
 - ☐ Hardship/practical difficulty information
 - ☐ Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 - ☐ Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
 - ☐ ~~Printed name and/or address and/or telephone number of contract purchaser~~
 - ☐ Power of attorney or authorization for person signing for legal owner and/or contract purchaser
 - ☐ Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 - ☐ Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (TTSOPH)
11/17/93

TO: HYUNDAI PUBLISHING COMPANY
December 30, 1993 Issue - Jeffersonian

Please forward billing to:

Barbara White
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204
410-494-6200

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-252-XA (Item 253)

4445 Old Court Road

5/5 Old Court Road, corner 5/5 I-695

2nd Election District - 2nd Councilmanic

Legal Owner(s): The Talmudical Academy of Baltimore, Inc.

Contract Purchaser(s): Bell Atlantic Mobile Systems, Inc.

HEARING: THURSDAY, JANUARY 27, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Exception for nine wireless transmitting and receiving structures, each to be roof-mounted and 1 foot (a) by 1 foot (d) by 4 feet (b) in dimension.

Variance to allow a setback from the nearest property line of as close as 80 feet and from the fencing and landscaping requirements; and a variance of the RTA buffer.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DECEMBER 23, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-252-XA (Item 253)

4445 Old Court Road

5/5 Old Court Road, corner 5/5 I-695

2nd Election District - 2nd Councilmanic

Legal Owner(s): The Talmudical Academy of Baltimore, Inc.

Contract Purchaser(s): Bell Atlantic Mobile Systems, Inc.

HEARING: THURSDAY, JANUARY 27, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Exception for nine wireless transmitting and receiving structures, each to be roof-mounted and 1 foot (a) by 1 foot (d) by 4 feet (b) in dimension.

Variance to allow a setback from the nearest property line of as close as 80 feet and from the fencing and landscaping requirements; and a variance of the RTA buffer.

Arnold Jablon
Arnold Jablon
Director

cc: The Talmudical Academy of Baltimore, Inc.

Bell Atlantic Mobile Systems, Inc.

Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO T.A. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 14, 1994

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Case No. 94-252-XA, Item No. 253
Petitioner: The Talmudical Academy of Baltimore, Inc.
Petitions for Special Exception and Variance

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on December 17, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Printed with Soybean Ink

**BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director DATE: January 3, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for January 3, 1994
Item No. 253

The Developers Engineering Section has reviewed the subject zoning item. We recommend that buffering be required where use impacts existing residential structures. The site should comply with the Landscape Manual for the streetscape along Old Court Road.

END:s

cc: File

RECEIVED
JAN 4 1994

ZADM



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

12-22-95

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No: 7253 (JLL)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for *DAVID N. KANSKY, ACTING CHIEF*
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

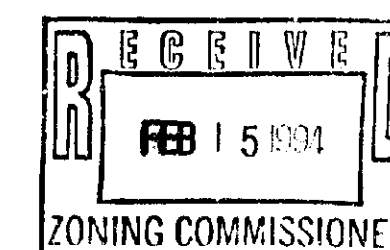
**BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence**

TO: Tim Kotroco
Deputy Zoning Commissioner

FROM: Stephan A. Reekie *ME*
Bureau of Air Quality & Waste Management

DATE: February 15, 1994

SUBJECT: Zoning Item #253
Talmudical Academy, Inc.



After reviewing the most recent information that you provided me describing cellular phone installations, the following thoughts are offered for your consideration:

From the standpoint of electromagnetic radiation parameters, the sites are similar, if not identical, to the site proposed for the Talmudical Academy, which, according to Bell Atlantic's calculations, conforms to all applicable ANSI standards. Like all radiofrequency and microwave transmitters licensed by the FCC, the ANSI standards offer "some" level of protection to people within reasonable physical access. Should reasonable access ever be violated (ie, someone climb the tower or get on the roof, as the case may be) the ANSI standards are not met and biological injury becomes a distinct possibility.

It seems to me, therefore, that the issue before us is largely one of evaluating risk assessment on the basis of site security. In other words, what is the likelihood that the roof will be accessed and the tower scaled? An antenna array on a 30 meter tower in the middle of a field surrounded by an 8 foot fence topped with barbed wire may not offer the same risks as the same antenna array on a school roof. Even though Bell Atlantic predicts total ANSI compliance, and there are no federal or State ordinances that I'm aware of prohibiting such installations, schools, by the very nature of their inhabitants, may need to be evaluated primarily on the basis of site security. This is an area in which the school administrators are in a better position than us to evaluate site security at their schools. Assuming "foolproof" site security, we are not opposed to this installation.

Although the debate concerning the adverse health effects resulting from exposure to low levels of electromagnetic radiation is far from over, the city school board of San Francisco has apparently decided to "err on the side of caution" and preemptively ban cellular installations at schools. This decision is a political one and may indeed ultimately be in the best interests of the children.

SAR/mb
cc: Arnold Jablon
Larry Pilson
KOTROCO2/txtmb

**Baltimore County Government
Fire Department**

700 East Joppa Road, Suite 501
Towson, MD 21286-5500

(410) 887-4500

Arnold Jablon, Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
CBA STOP-1100

RE: Property Owner: THE TALMUDICAL ACADEMY OF BALTIMORE INC.
LOCATION: 545 OLD COURT RD., CORNER E/3 1-695
(5445 OLD COURT RD.)
Use: 200 (20) CDD Zoning Agenda: SPECIAL EXCEPTION

Rebuttal:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

2. The Fire Prevention Bureau has no comment at this time.



ZADM

REVIEWED BY: ROBERT P. SAWARD
Fire Prevention, PHONE 887-4021, MS-11021

cc: File



**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: January 5, 1994

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item No. 243, 248, 250, 251, 253, 255, 256, 257, and 259.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*

Division Chief: *Paul L. Kerns*

PK/JL:lw

ZAC.243/PZONE/ZAC1

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: January 24, 1994

SUBJECT: The Talmudical Academy of Baltimore, Inc.

INFORMATION:

Item Number: 253

Petitioner: Arch Guttenberg, Vice President

Zoning: DR 5.5

Amended Comment

Due to the fact that the building generating the need for an RTA buffer exists, staff recommends this variance be granted consistent with the requirement set forth in Section 1801.1.B.C.(1) of the Baltimore County Zoning Regulations.

No additional comments are offered regarding the other aspects of this Petition.

Prepared by: *Jeffrey W. Long*

Division Chief: *Paul L. Kerns*

PK/JL:pat

ZAC.253/PZONE/ZAC1

Pg. 1

**BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence**

TO: Mr. Arnold Jablon, Director
Zoning Administration and Development Management

FROM: Stephan A. Reekie *ME*
Bureau of Air Quality & Waste Management

DATE: January 27, 1994

SUBJECT: Zoning Item #253
The Talmudical Academy of Baltimore, Inc.
Zoning Advisory Committee Meeting of December 27, 1993

As a result of recent information received by this office from Bell Atlantic concerning the above site, we are not opposing the petition for a zoning variance.

SAR/mb
ZONING.253/txtmb

**BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence**

TO: Tim Kotroco
Deputy Zoning Commissioner

FROM: Stephan A. Reekie *ME*
Bureau of Air Quality & Waste Management

DATE: January 31, 1994

SUBJECT: Zoning Item #253
Talmudical Academy Inc.
ZAC Meeting of 12/27/93

As a result of a report submitted to this office by Bell Atlantic, which predicts site specific worst-case power density levels to be well below the ANSI standards for human exposure levels to radiofrequency radiation, we are not opposing the petition for a zoning variance.

SAR/mb
cc: Arnold Jablon
Larry Pilson
KOTROCO/txtmb



ZADM

Shira R. London
2404 Forest Green Road
Baltimore, MD 21209
(410) 484-0295

February 28, 1994

Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
Room 113
400 Washington Avenue
Towson, Md 21204

Dear Mr. Kotroco:

As a parent whose son is supposed to start kindergarten at Talmudical Academy (T.A.) in the Fall, I am very concerned about the decision to allow the installation of nine transmitting and receiving antennas on the roof of the school. (The school is located on Old Court Road off the Baltimore Beltway).

I called the Environmental Protection Agency for more information, and was referred to Mr. Hankin, an environmental scientist in the EPA's Radiation Studies Division. I told Mr. Hankin that parents were assured that the radiation levels "fell well under standards set by the Environmental Protection Agency." But Mr. Hankin insisted that the EPA doesn't have a radiofrequency radiation standard for exposure to radiation in the microwave frequency range in which these antennas operate.

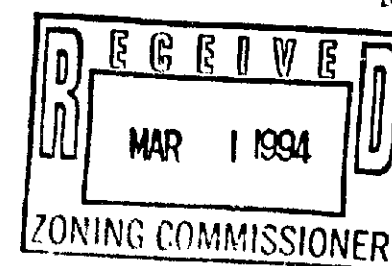
He suggested that Bell-Atlantic may have used standards developed by another organization. He cited the example of the American National Standards Institute, which was criticized by the EPA in a public document for using their standard for all kinds of exposure to microwave radiation. The EPA says the Institute's standard should only be applied to thermal exposure. T.A.'s situation would be considered "chronic non-thermal exposure." I have since learned that Bell-Atlantic has indeed relied on ANSI standard in formulating their argument to place the antennas on the school roof. To say that based on the currently existing standards "everyone is protected," would be "misleading," according to Mr. Hankin.

He went on to say that we are dealing with an "inconclusive area" that has not been researched sufficiently to determine risk levels. There is no "acceptable risk" where the health of our children is concerned.

Mrs. Shira London

sent copy of letter to Mr. Long

Caren E. Cutler, R.N.
3415 Clark's Lane Apt. E-1
Baltimore, MD 21215
February 28, 1994



Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Talmudical Academy - Special Exception Case #94-252XA

Dear Mr. Kotroco:

Please accept this letter in response to the letter sent to you by Richard R. Dobson, General Manager, Bell Atlantic Mobile Systems, Inc., dated February 17, 1994.

Since the zoning hearing, many Talmudical Academy parents have voiced opposition to the placing of the cellular transmitter antenna on the school roof. In response to research and previously made available to the Talmudical Academy Board of Directors, the Board invited concerned parents to respond to the issue. On Monday, February 21, 1994, at the Board of Directors meeting, these parents and their opinions were known to the Board members. Rabbi Hersh Dachs, the school's Educational Director, stated at the meeting that he opposes having the antenna on Talmudical Academy.

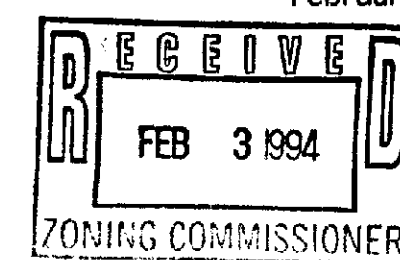
The information in Mr. Dobson's letter was nothing new and represents the response we have received in the past from many engineers. Engineers have no expertise in health matters, and it is interesting how there is a sudden ability for some to issue pronouncements on health risks when people raise questions that may block a project.

The information I submitted in my letter of February 3, 1994, was introductory. There is enough information in the field of microwaves to keep a person busy sorting things out for a long time. Other parents and I who send children to Talmudical Academy have been reviewing the available literature. My husband is a physician and has read a number of scientific papers regarding microwaves. He also interviewed a physicist and an epidemiologist. Each of these two experts has studied the interaction of microwaves and living beings for decades. This combination of expertise is extremely rare and valuable. In addition, he has read a paper by the epidemiologist and we watched a video of a lecture given by the physicist. I have previously discussed the issue with Dr. Quirino Balzano, Vice President at Motorola, and Raymond R. Neutra, M.D., Dr. Public Health, Acting Chief, Environmental Health Investigations Branch, State of California. From these and other sources (some sent to you with my last letter), several critical facts emerge:

- 1) Cellular telephone technology is a recent development.
- 2) The frequencies used are therefore different than those frequently studied in the past decades.
- 3) The "pushing" technology used for cellular microwave transmission is also new.
- 4) There has been no time to study this newest technology in living systems.
- 5) Questions have been raised as to the safety of microwaves by very responsible scientists in the field.
- 6) These questions have been raised from both animal and human data.
- 7) The questions raised are those relating to alterations of normal biological functioning.

Caren E. Cutler, R.N.
3415 Clark's Lane
Apartment E-1
Baltimore, MD 21215-2501

February 3, 1994



Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Kotroco:

Pursuant to your request at the zoning hearing on Thursday January 27, 1994, regarding case #94-252XA I have the following information.

On Friday morning I spoke with Dr. Quirino Balzano, Vice President, Land Mobile Sector, Cellular Phone Division, Motorola Inc. I asked Dr. Balzano why Motorola Inc. has a policy not to site cellular telephone transmitter antennas on school property. He stated, "To place something [at school] whose safety is still being debated would cause a potential clash with the population we are trying to serve." Concerning the antennae at Talmudical Academy, Dr. Balzano stated that "the exposure for the kids would be in the schoolyard." He also stated, "You will see in the paper more about RF and cancer. [The] school exposes themselves to risk, the first tumor that a child gets will be blamed on the system [cellular phone antennae] and you will have a lawsuit."

Concerning the subject of risk and lawsuits, I spoke to Ramona Albright, R.N. who is with the Committee to Investigate Electromagnetic Radiation located in San Francisco, California. Ms. Albright mentioned that Robert Passmore has been sued more than once in his capacity as a zoning official and the San Francisco government did not indemnify him. I trust that you know to what extent your decisions made as a zoning official are protected from litigation.

My attempts to reach someone in the Center for Devices and Radiological Health of the Food and Drug Administration have not been successful. As a result I do not have information about their present research in the area of exposure assessments for hand held telephones and for base stations and to provide independent assessment of the exposures from these sources.

With permission from Dr. Raymond R. Neutra's office I am sending you some correspondence between Dr. Neutra and Elizabeth D. Jacobson of the Food and Drug Administration and also William L. Lee of the Department of Health Services of San Francisco.

Enclosed please find the two letters mentioned above and articles from Microwave News about the San Francisco decision, about opposition to siting antennae on schools.

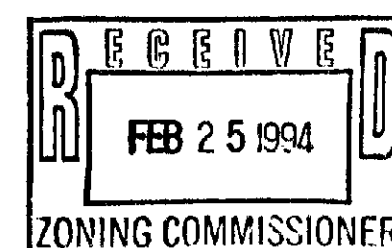
Bell Atlantic Mobile Systems

Bell Atlantic Mobile Systems, Inc.
801 Baltimore National Pike
Catonville, MD 21228-1412
410 634-4444
410 634-5444

Richard R. Dobson
General Manager
Washington-Baltimore Network Engineering

February 17, 1994

Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204



Re: Talmudical Academy - Special Exception Case #94-252XA

Dear Mr. Kotroco:

Please accept this letter as a response to the letter sent to you by Caren Cutler dated February 3, 1994.

First, the information submitted does not demonstrate that there is any scientific evidence to support a contention that cellular phones and cellular base stations are a health risk. Additionally, the reports deal with all manner of radio transmissions and, in large part, are not applicable to cellular phone technology which has assigned frequencies in the range of 800 to 900 MHz.

Referring to the site specific report submitted to you at the public hearing, the maximum exposure level at the school is twenty times below the applicable ANSI standard. This figure relates to an exposure level in the unlikely event that a child is hanging out of a second floor window.

Accordingly, we agree with a revised comment by Steven A. Reekie of the Baltimore County Department of Environmental Protection and Resource Management in which he concurs there is no health risk to students, teachers or guests of the school, so long as the roof equipment is inaccessible. As stated at the hearing, the access to the roof is by a vertical ladder, to a locked roof hatch to which only authorized personnel have a key. As a practical matter, the number of footfalls, etc that are currently on the roof indicates that access is no easy task.

I cannot emphasize strongly enough that installation of these antennae do not pose a health risk, however, exposure levels could be reduced even further below the standard by (i) installing specifically designed RF shielding materials under the mounting of each of the antennae which will further reduce the exposure on the floor immediately below the antennae and (ii) the antennae could be raised an additional four feet in height over that which was

2508 Toney Road
Baltimore, MD 21209
February 14, 1994

Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
400 Washington Ave.
Towson, MD 21204

Dear Mr. Kotroco:

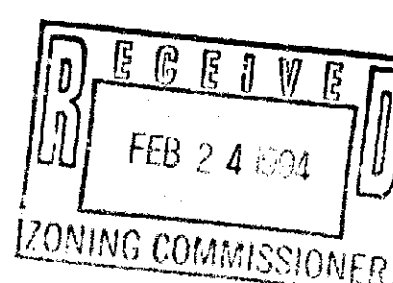
As a parent of three sons, all of whom attend the Talmudical Academy in Pikesville, I am very concerned about the proposed antennae to be placed on T.A.'s roof.

I am not convinced that there is no health risk from the transmission of microwaves. To my knowledge, radiation is far more dangerous for children, who are still growing, than for adults. I therefore believe that it would be more appropriate to place the antennae on a site that is not populated by children.

I sincerely hope you will deny the school and Bell-Atlantic Mobile Systems the variance needed to install the antennae, and instruct them to locate a more sensible site.

Sincerely,

Lambert Zirkel
Lambert Zirkel



Pam Lehmann
2708 Steele Road
Baltimore, MD 21209

February 4, 1994

Deputy Zoning Commissioner Kotroco
400 Washington Ave.
Towson, MD 21204

Dear Mr. Kotroco:

I am writing to express my opposition to the special exception variance requested by Talmudical Academy.

The installation of wireless transmitting and receiving antennas on the top of the building may be a health risk to the children and staff of the school. My son will be entering the Kindergarten in the Fall and I work in the high school building.

Even though there is no concrete evidence of the adverse effects of the emissions from these antennas, many studies are now in progress. It is too early to make a judgment as to their safety. As such, I do not want myself or my son or any of the other people in the building used as guinea pigs.

Certainly we know from history that many substances which were not identified as health risks at one time were later found to be very hazardous. Such substances are tobacco, second hand smoke, alcohol, asbestos, and lead paint.

I implore you not to take the chance and risk the health of over 500 children and adults who learn and work in Talmudical Academy.

Sincerely,

Pam Lehmann
Pam Lehmann

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Rob Hoffman	210 Allegany Ave
Ed Marquet	5631 Balt Natl Pike Catonsville 21228
Bobby McAvoy	5631 Baltimore Natl Pike Catonsville 21228
Chuck Phillips	10 North Park Dr. Hunt Valley 21030
Rich Dolsen	5631 Baltimore Natl Pike Catonsville 21228
John A Fischer	3508 Lacyville Rd. Pk 21215-1720

Send GPs
to
Alan Feiler
at
Jensen's

PLEASE PRINT CLEARLY

Interested Person(s)
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Anne Staiman	3217 Northbrook Rd Baltimore 21228
Caren Cutler	3415 Clark's Lane Apt E-1 MD 21215
Rena Lewis	7117 Boxford Rd. Baltimore 21215



Safety Analysis of the Electromagnetic Environment in the
Vicinity of a Proposed Cellular Radio Installation,
Talmudical Academy of Baltimore, 4445 Old Court Road, Baltimore, Maryland

R. C. Paffen
AT&T Bell Laboratories
Murray Hill, New Jersey 07974-0636

Summary

This report is a safety analysis of the electromagnetic environment surrounding the cellular radio site proposed for installation in Baltimore, MD. The analysis utilizes engineering data provided by Bell Atlantic Mobile Systems, Inc., together with well-established analytical techniques for estimating the radiofrequency (RF) electromagnetic fields associated with the cellular antennas. Worst-case assumptions were used to ensure safe-side estimates, i.e., the actual values will be significantly lower than the corresponding analytical values. The analysis indicates that the maximum level of RF energy to which the public may be exposed is below all applicable health and safety limits.

Specifically, in all normally accessible areas surrounding the rooftop installation, the maximum levels of RF energy associated with the Bell Atlantic Mobile Systems, Inc. antennas will be at least 65 times below the exposure limits of OSHA, ANSI, IEEE, NCRP, and the limits of all states that regulate RF exposure.

Prepared for
Lou Fink
Bell Atlantic Mobile Systems, Inc.
5631 Baltimore National Pike
Catonville, Maryland 21228

July 27, 1993

PETITIONER'S
EXHIBIT 3

ENVIRONMENTAL IMPACT STATEMENT

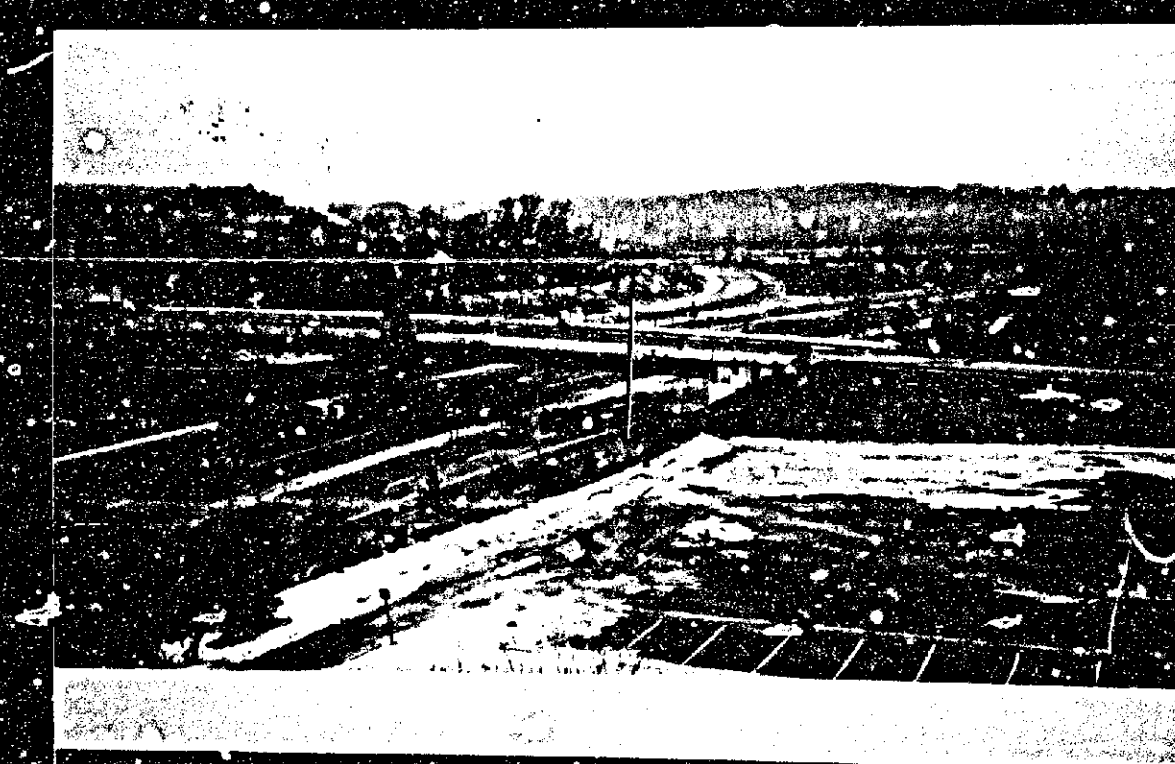
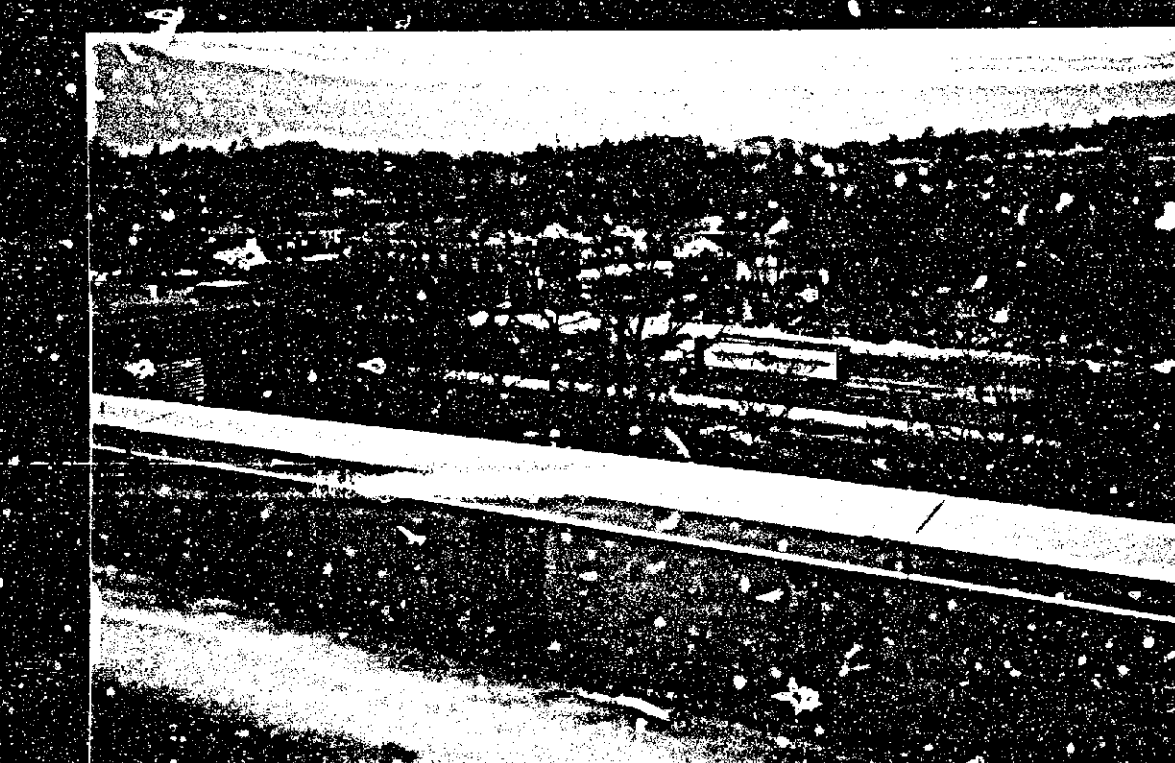
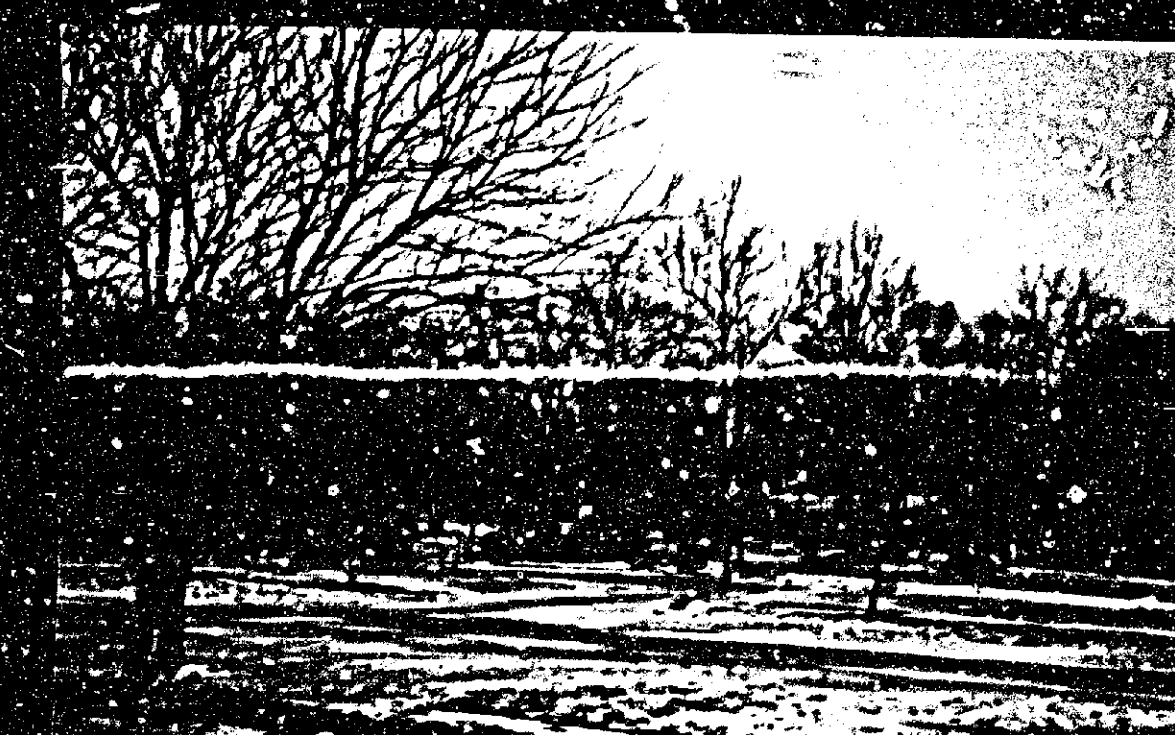
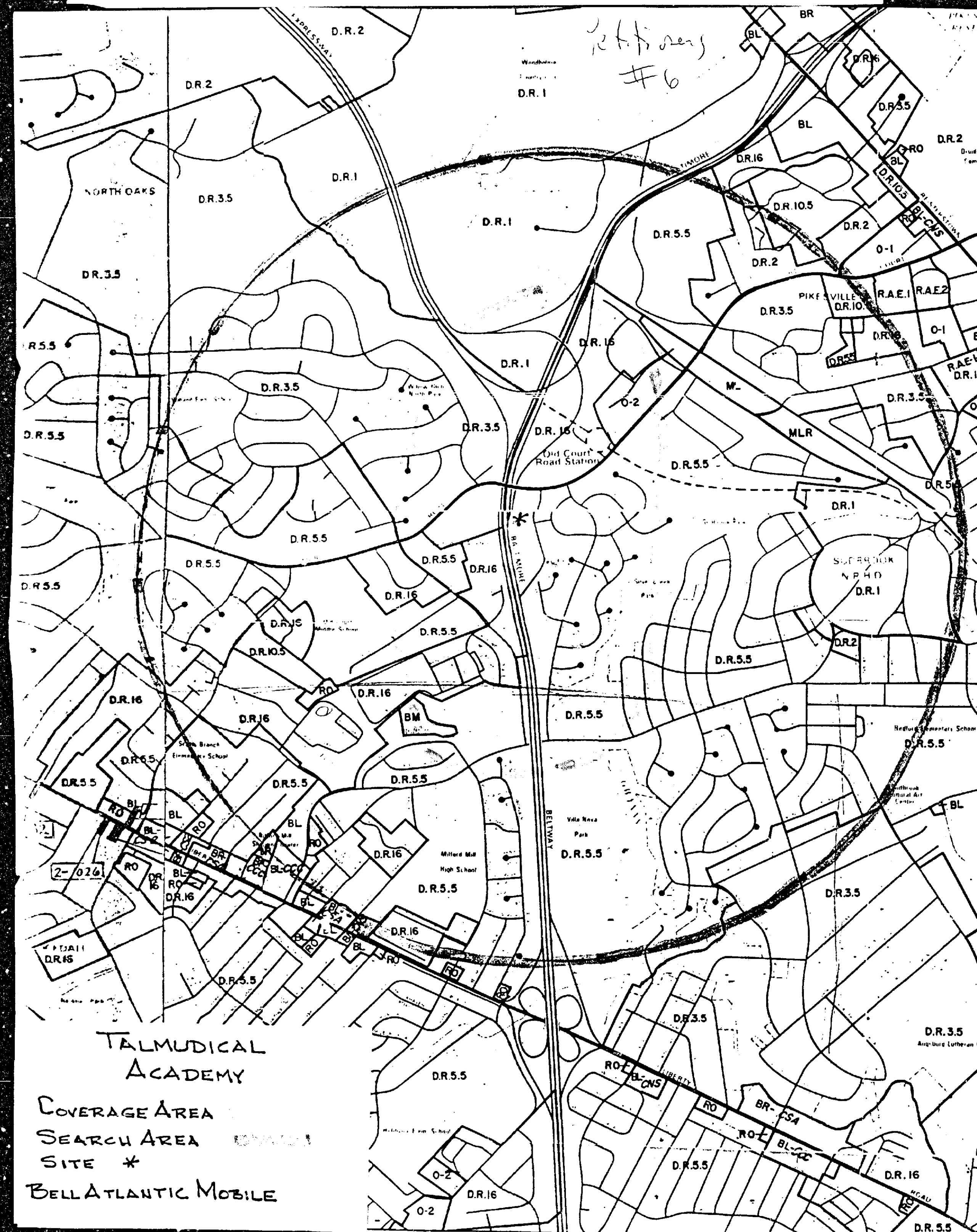
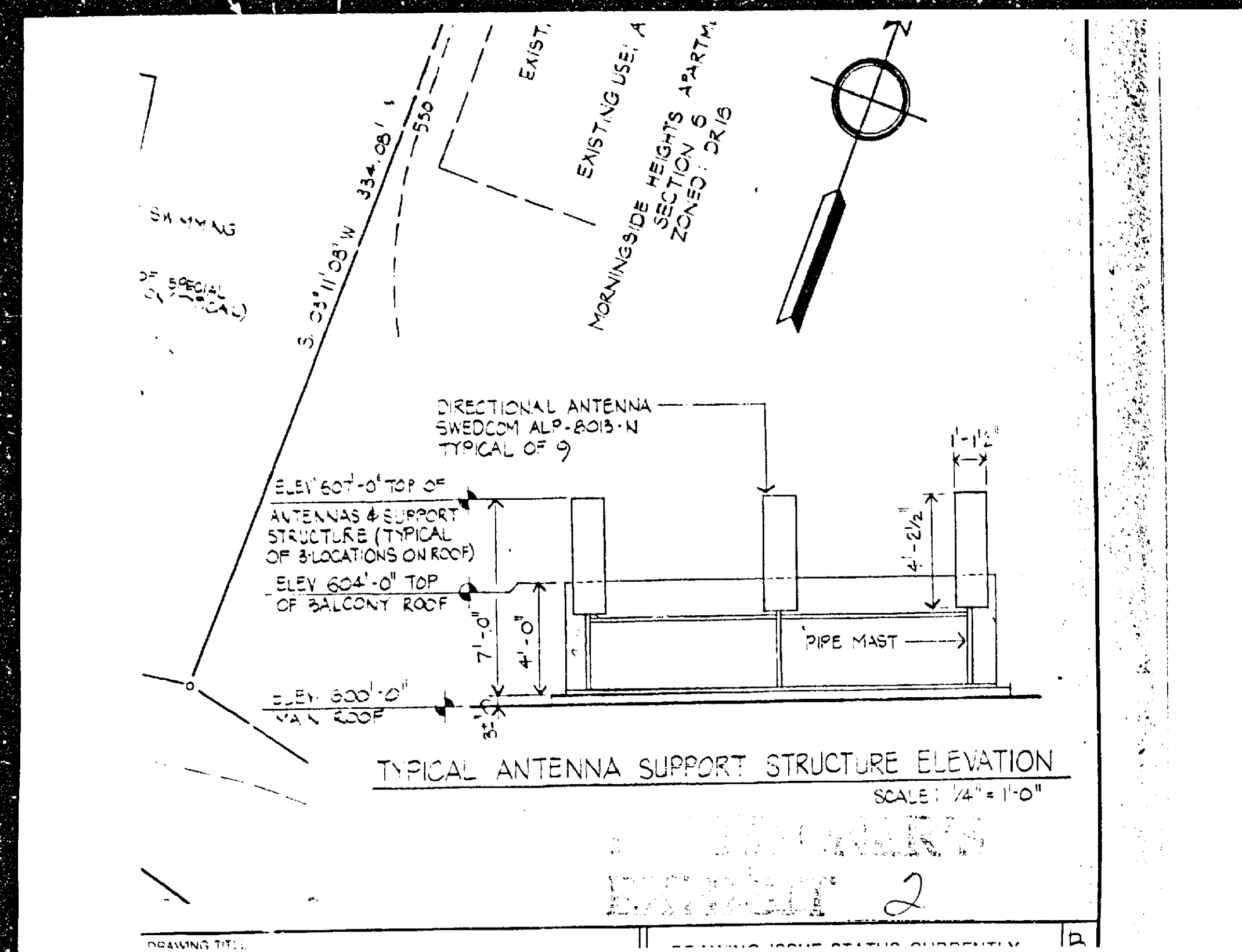
PIKESVILLE SITE
TALMUDICAL ACADEMY
4445 OLD COURT RD
BALTIMORE, MD 21208

Submitted to:
BALTIMORE COUNTY ZONING OFFICE

Submitted by:
BELL ATLANTIC MOBILE

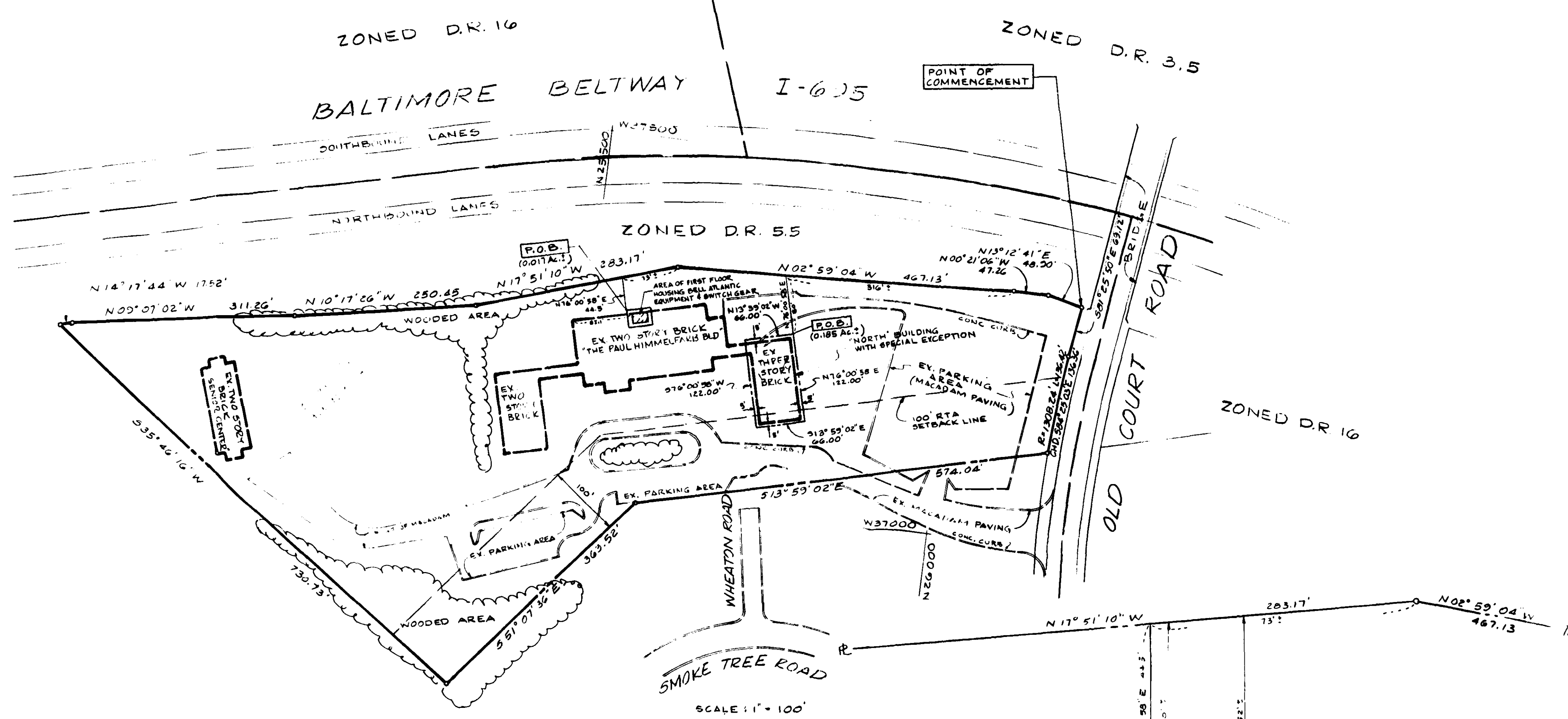
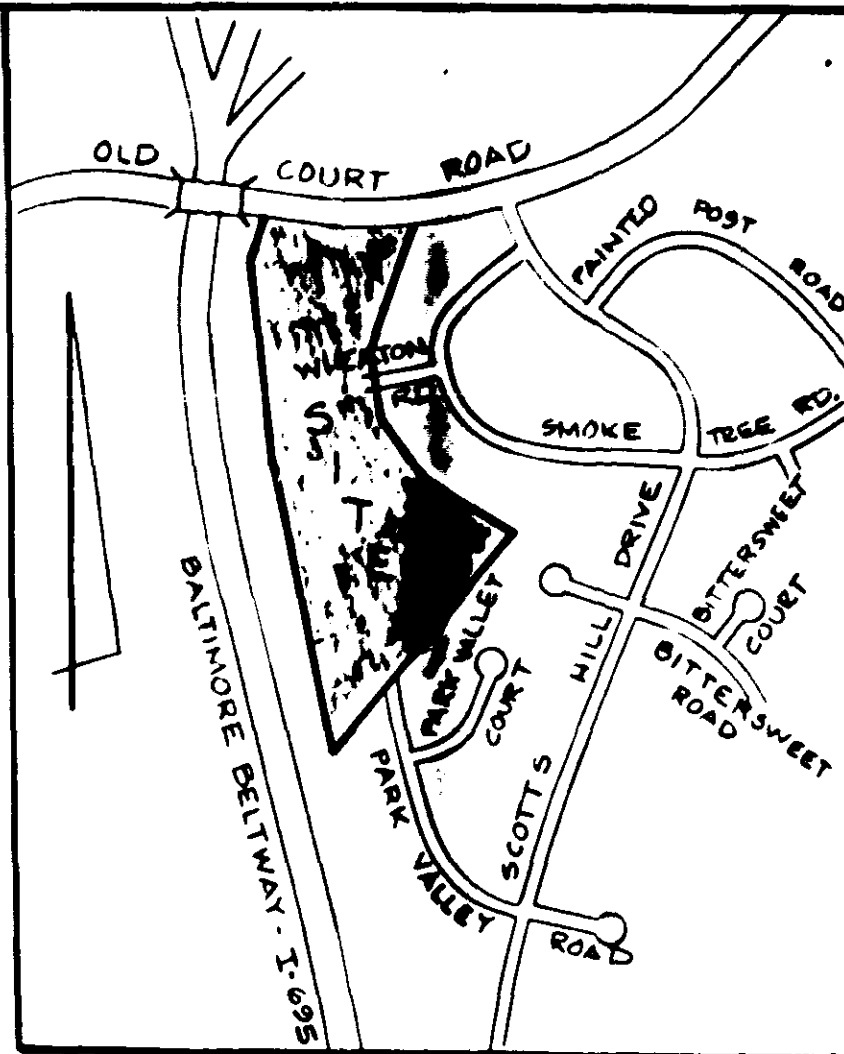
November 29, 1993

PETITIONER'S
EXHIBIT 9

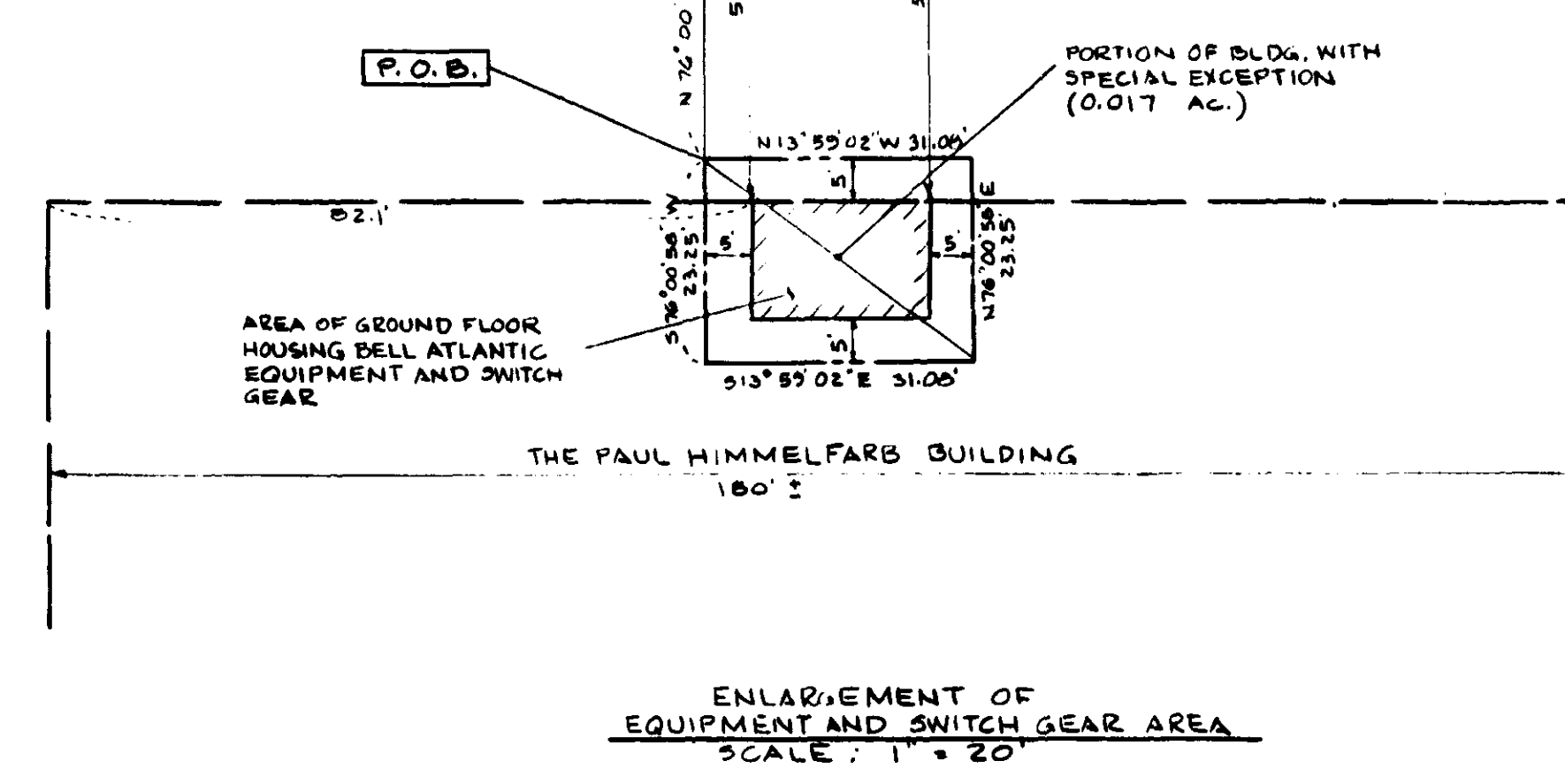


Petitioner Ex 1

- WIRELESS TRANSMITTING & RECEIVING FACILITIES NOTES
1. ENVIRONMENTAL PROTECTION AGENCY STANDARDS AND GUIDELINES RELATING TO RADIATION EMISSIONS WILL BE MET AT ALL TIMES
 2. WHEN THE USE IS TERMINATED THE EQUIPMENT WILL BE REMOVED
 3. EVERY 5 YEARS, OR SOONER IN THE EVENT OF SUBSTANTIAL DAMAGE, A CERTIFICATION BY A PROFESSIONAL ENGINEER REGISTERED IN MD WILL BE FILED WITH THE DEPARTMENT OF PERMITS & LICENSES INDICATING THAT THE AFOREMENTIONED STRUCTURE MEETS ALL SAFETY REQUIREMENTS. ANY UPGRADING OR MAINTENANCE REQUIRED TO COMPLY WITH ANY CHANGES IN THE SAFETY REQUIREMENTS, OR TO MAINTAIN THE SAFETY THEREOF SHALL BE PERFORMED PRIOR TO THE FILING OF SUCH CERTIFICATION.
 4. NO WHITE STEREO SCOPIC LIGHTS WILL BE USED.
 5. AN ENVIRONMENTAL IMPACT STATEMENT WILL BE SUBMITTED TO THE ROUNDCOMB COMMISSIONER.



- GENERAL NOTES
1. TOTAL AREA OF PROPERTY SHOWN HEREON IS 9.3746 ACRES +/-.
 2. EXISTING ZONING OF PROPERTY - DR-5.5
 3. EXISTING USE OF PROPERTY - PRIVATE SCHOOL.
 4. PUBLIC UTILITIES SERVE THE SITE FROM OLD COURT ROAD.
 5. SITE ACCESS IS BY WAY OF A PUBLIC ROAD (OLD COURT ROAD).
 6. TRASH COLLECTION IS BY WAY OF A PRIVATE CONTRACTOR.
 7. PROPOSED ANCILLARY USE OF A PORTION OF THE PROPERTY IS A 'BELL ATLANTIC MOBILE CELLULAR TELEPHONE FACILITY' (SPECIAL EXCEPTION REQUIRED).
 8. MOBILE CELLULAR TELEPHONE FACILITY:
 - a) SWITCHING GEAR AND EQUIPMENT WILL BE LOCATED AND HOUSED ON THE GROUND FLOOR REAR OF THE PAUL HIMMELFARB BUILDING.
 - b) NINE ANTENNAS WILL BE ROOF MOUNTED ON THE 'NORTH' BUILDING EACH HAVING A DIMENSION OF 1'(W) X 1'(D) X 4'(H).
 - c) THERE IS NO REQUIREMENT BY BELL ATLANTIC FOR OFF-STREET PARKING.
 - d) THERE WILL BE NO INTERFERENCE TO OR REMOVAL OF EXISTING LANDSCAPING ON THE PROPERTY.
 - e) THERE WILL BE NO INTERFERENCE TO THE EXISTING OPEN SPACE ON THE PROPERTY.
 9. AREA OF PROPERTY FOR THE 'SPECIAL EXCEPTION' IS 0.185 ACRES PLUS 0.017 ACRES FOR A TOTAL OF 0.202 ACRES +/-.
 10. EXISTING 'NORTH' BUILDING HEIGHT FROM FINISHED GRADE TO THE ROOF PARAPET IS AN AVERAGE OF 42' +/-.
 11. THE FOLLOWING VARIANCES ARE REQUIRED:
 - a) SECTION 502.7.C.2 - SETBACK FROM NEAREST PROPERTY LINE AS CLOSE AS 80 FEET.
 - b) SECTION 502.7.C.4 - FENCING REQUIREMENTS
 - c) SECTION 502.7.C.5 - LANDSCAPING REQUIREMENTS
 - d) SECTION 1801.1.B.1.(a) - RTA BUFFER REQUIREMENT
 12. NO OTHER RTA'S ARE GENERATED ON THE SUBJECT SITE.



SITE INFORMATION
ELECTION DISTRICT: 2
COUNCILMANIC DISTRICT:
CENSUS TRACT: 402601
DEED REF: 019.4634/545 & 019.4744/401
ACCT. NO: 0220000640 1 0220000642

PETITIONER
BELL ATLANTIC MOBILE
5651 BALTIMORE NATIONAL PIKE
CATONSVILLE, MARYLAND 21228
ATTN: RICHARD W. GOODMAN 410-404-4431

SCHEDULE OF REVISIONS					
7					
6					
5					
4					
3					
2					
1					
0	REVISE NOTES, ADD RTA SETBACK LINE	RJF	CAP		12-17-73
REV	DESCRIPTION OF CHANGES	DRAWN BY	AUTH BY	ISSUE STATUS	ISSUE DATE

KCI KCI TECHNOLOGIES INC.
ENGINEERS • PLANNERS • SURVEYORS
1020 CROMWELL BRIDGE ROAD
BALTIMORE, MARYLAND 21204 (410) 321-3500

Bell Atlantic Mobile
180 WASHINGTON VALLEY ROAD
BEDMINSTER, N.J. 07921

DRAWING TITLE
PLAT TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION
PORTION OF N2 4445 OLD COURT ROAD

PROJECT
PROPOSED CELLULAR TELEPHONE
FACILITY - THE TALMUDICAL
ACADEMY OF BALTIMORE
BALTIMORE COUNTY, MARYLAND

PROPERTY OWNER: THE TALMUDICAL ACADEMY OF
BALTIMORE, INC.

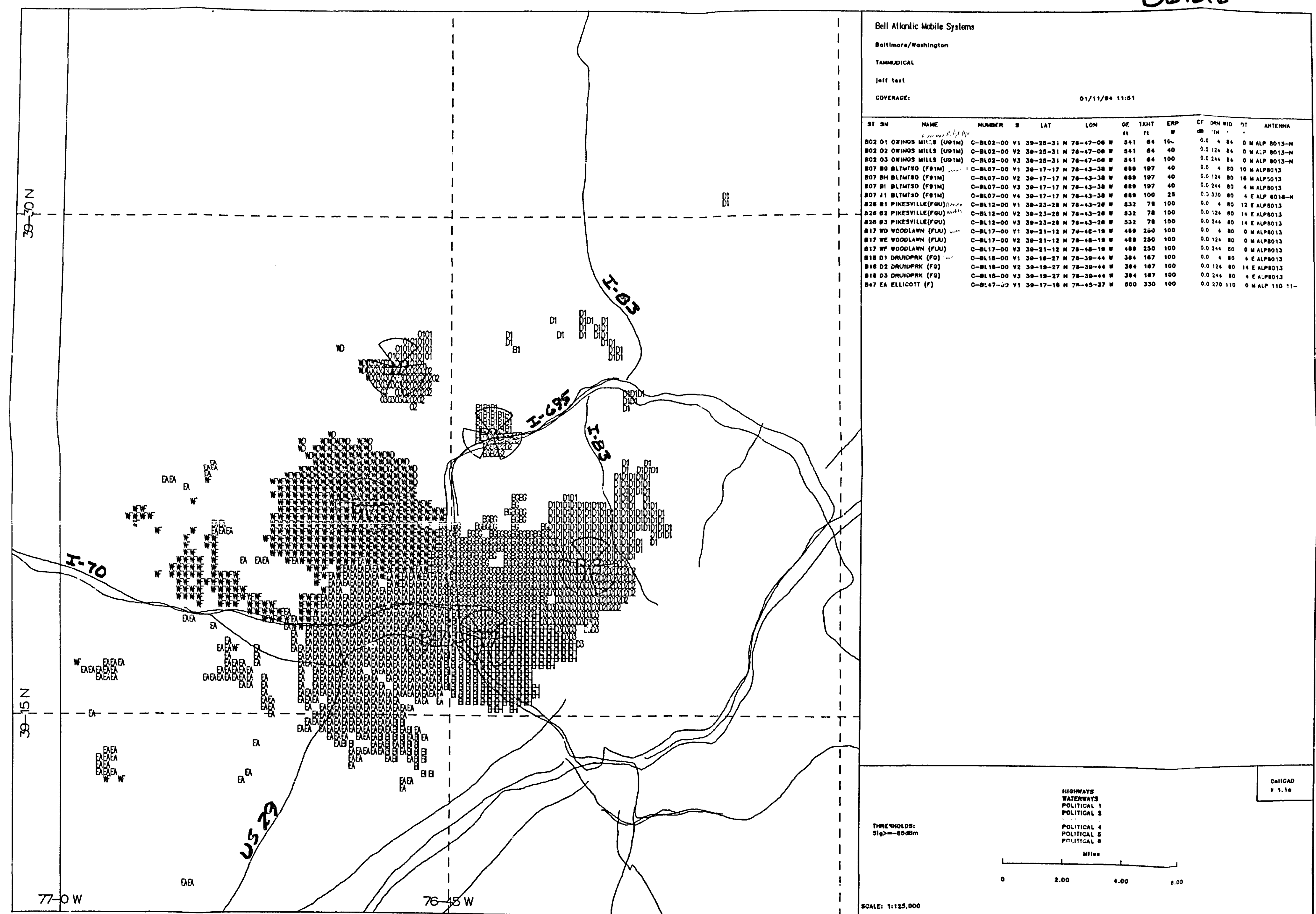
DRAWING ISSUE STATUS CURRENTLY -
A - ISSUED FOR PRELIMINARY INFORMATION ONLY
B - ISSUED FOR MUNICIPAL REVIEWS/APPROVALS
C - ISSUED FOR CONSTRUCTION PERMITS/BIDS
D - ISSUED FOR CONSTRUCTION
E - (SPECIFY)

FIRST ISSUE
DRAWN BY: RJF
CHECKED BY: CAP
SCALE: AS SHOWN
PROJECT NO.:
DOCUMENT NO.:

DRAWING NO.
SHEET NO. 1 OF 1
PRINT DATE:

Petition 4

"Before"



Bell Atlantic Mobile Systems

Baltimore/Washington

TAMMADICAL

Jeff Test

COVERAGE:

01/11/94 11:01

ST	SN	NAME	NUMBER	S	LAT	LO	DE	TXHT	ERP	CF	ORH	WID	HT	ANTENNA
802	01	ORINGS MILLS (USIM)	C-BL02-00	V1	39-25-31 N	76-47-06 W	841	84	16	0.0	4	84	0	M ALP 8013-M
802	02	ORINGS MILLS (USIM)	C-BL02-00	V2	39-25-31 N	76-47-06 W	841	84	40	0.0	124	84	0	M ALP 8013-M
802	03	ORINGS MILLS (USIM)	C-BL02-00	V3	39-25-31 N	76-47-06 W	841	84	100	0.0	244	84	0	M ALP 8013-M
807	06	BLIMTSD (F81M)	C-BL07-00	V1	39-17-17 N	76-43-38 W	889	197	40	0.0	4	80	10	M ALP 8013
807	08	BLIMTSD (F81M)	C-BL07-00	V2	39-17-17 N	76-43-38 W	889	197	40	0.0	124	80	10	M ALP 8013
807	11	BLIMTSD (F81M)	C-BL07-00	V3	39-17-17 N	76-43-38 W	889	197	40	0.0	244	80	4	M ALP 8013
807	11	BLIMTSD (F81M)	C-BL07-00	V4	39-17-17 N	76-43-38 W	889	100	28	0.0	330	80	4	E ALP 8018-M
824	81	PIKESVILLE (F0U)	C-BL12-00	V1	39-23-28 N	76-43-28 W	832	78	100	0.0	4	80	12	E ALP 8013
824	82	PIKESVILLE (F0U)	C-BL12-00	V2	39-23-28 N	76-43-28 W	832	78	100	0.0	124	80	14	E ALP 8013
824	83	PIKESVILLE (F0U)	C-BL12-00	V3	39-23-28 N	76-43-28 W	832	78	100	0.0	244	80	14	E ALP 8013
817	W0	WOODLAWN (FLU)	C-BL17-00	V1	39-21-12 N	76-46-18 W	489	250	100	0.0	4	80	0	M ALP 8013
817	W0	WOODLAWN (FLU)	C-BL17-00	V2	39-21-12 N	76-46-18 W	489	250	100	0.0	124	80	0	M ALP 8013
817	W0	WOODLAWN (FLU)	C-BL17-00	V3	39-21-12 N	76-46-18 W	489	250	100	0.0	244	80	0	M ALP 8013
818	D1	DRUIDPK (F0)	C-BL18-00	V1	39-18-27 N	76-38-44 W	364	187	100	0.0	4	80	4	E ALP 8013
818	D2	DRUIDPK (F0)	C-BL18-00	V2	39-18-27 N	76-38-44 W	364	187	100	0.0	124	80	14	E ALP 8013
818	D3	DRUIDPK (F0)	C-BL18-00	V3	39-18-27 N	76-38-44 W	364	187	100	0.0	244	80	4	E ALP 8013
847	EA	ELLICOTT (F)	C-BL17-00	V1	39-17-18 N	76-45-37 W	800	330	100	0.0	270	110	0	M ALP 110 11-

THRESHOLD:
Signal=-85dbm

SCALE: 1:125,000